

Allowing voters to use written aid at polling place
(SB 884 by Edwards/Danburg)

DIGEST: SB 884 would have repealed sec. 63.011 of the Election Code, which prohibits carrying certain written voting aids into a voting booth. The code prohibits written communications prepared and furnished to voters by another person and marked or printed in such a way that identifies candidates or measures for which a voter has agreed to vote or has been requested to vote. Violations are Class C misdemeanors, punishable by a fine of up to \$200. The law offers the following as one example of a written communication that is not prohibited: a sample ballot that has not been marked or printed in a way that identifies candidates or measures for which to vote, that is obtained by the voter from a newspaper or another person, and that is marked only by the voter.

SB 884 also would have prohibited leaving written communications at a voting station and would have required election officers to check periodically and remove such materials.

GOVERNOR'S
REASON
FOR VETO:

The governor said the purpose of the current law is to prevent undue influence on voters. "This is a good law and should remain in effect. Its repeal would foster the kind of abuses the law is intended to address."

SPONSOR'S
VIEW:

The House sponsor, Rep. Debra Danburg, said that the bill would have retained current protections against coercion and electioneering while encouraging intelligent voting despite adverse conditions, such as ballots containing 100 or more races or two or more similar names. Voters should have access to the endorsements of any organization or newspaper with whom they agree. Denial of written aids pushes voters to reach for the straight-ticket lever, which is ironic since Republicans criticize minorities for lever voting.

The Secretary of State's office has put out misinformation on what sorts of written aids are allowed, said Rep. Danburg. The previous secretary of state had indicated virtually nothing other than a voter's own handwritten list is legal, which offers no

alternative for elderly and blind voters. This confusing law lends itself to shifting interpretations by different secretaries of state.

NOTES:

The House Research Organization analysis of the companion bill, HB 2047 by Danburg, appeared in the May 19, 1987 Daily Floor Report.